

## Remarks

Applicants respectfully request reconsideration of the present U.S. Patent application as amended herein. Claim 4 has been amended. No claims have been added. Claims 3 and 13 are canceled herein. Claim 1 has been canceled previously. Thus, claims 2, 4-12 and 14-42 are pending, of which claims 24-42 have been withdrawn.

## DRAWINGS

The Office Action objected to the drawings. Formal drawings are submitted herewith. Accordingly, Applicants request that the objection to the drawings be withdrawn. Applicants wish to apologize for the previous oversight in failing to provide the requested formal drawings.

## CLAIM REJECTION – 35 U.S.C. § 112, SECOND PARAGRAPH

Claim 13 was rejected as being indefinite for failing to particularly point out and distinctly claim the invention. Specifically, claim 13 the phrase “higher-level application” was identified as not clear. Applicants maintain the previous assertion that the phrase “higher-level application” is clear to one of ordinary skill in the art. However, in an attempt to expedite prosecution claim 13 has been canceled. Accordingly, Applicants request that the rejection of claim 13 as being indefinite be withdrawn.

GENERAL COMMENTS ON CLAIM REJECTIONS IN THE AUGUST 3, 2006 OFFICE ACTION

The Office Action refers to claims 1-4 as being anticipated by Walker and claims 5-23 as being unpatentable over Walker, with or without combination with other references. However, the detailed rejection of some of claims 5-23 are under the anticipation rejection and above the obviousness rejection. Because the detailed rejections refer to other references and or other information not contained within Walker, Applicants assume that only claims 1-4 are rejected as being anticipated by Walker while the remaining claims are rejected as being obvious.

CLAIM REJECTIONS – U.S.C. § 102(b)

Claims 1-4 were rejected as being anticipated by U.S. Patent No. 5,794,207 issued to Jay S. Walker (*Walker*). Claims 1 and 3 have been canceled. Therefore, the rejection of claims 1 and 3 is moot. For at least the reasons set forth below, Applicants submit that claims 2 and 4 are not anticipated by *Walker*.

Claim 2 recites:

a collaboration engine;  
control logic communicatively connected to the collaboration engine, wherein the control logic selectively invokes an instance of one or more features of the collaboration engine in response to commands received by the control logic;  
a network interface;  
memory;  
management applications communicatively connected to the control logic  
a storage medium to store a plurality of collaboration rules; and  
a collaboration agent, to provide an interface through which  
digitally disparate sellers, dealers and/or manufacturers agree to  
selectively participate in commercial transactions for requesting users, and  
to enable each of the sellers, dealers and/or manufacturers to define terms  
and conditions under which they selectively participate with one another  
to facilitate commercial collaboration between these otherwise digitally  
disparate providers to provide, at least in part, product inventory

information from participating sellers, dealers and/or manufacturers including provider-specific product attributes.

Thus, Applicants claim an apparatus having a collaboration engine, control logic, management applications and a collaboration agent. The apparatus provides an agent that can facilitate commercial collaboration between digitally disparate sellers, dealers and/or manufacturers, including product inventory information with provider-specific product attributes. The control logic selectively invokes an instance of one or more of the features of the collaboration engine in response to commands received by the control logic.

*Walker* discloses a system in which a buyer may shop for *offers* available from sellers. See col. 8, lines 28-41. More specifically, *Walker* discloses a system in which a central controller is coupled with multiple modems that correspond to a buyer and multiple sellers. See Figure 1. The central controller includes a processor, memory a several databases. See Figure 2-4. However, nothing in *Walker* suggests the functionality corresponding to a collaboration engine, control logic, management applications and a collaboration agent as recited in claim 2.

The central controller of *Walker* includes databases that store buyer information, seller information, offer information, account information, and cryptographic information. *Walker* does not disclose an equivalent of a collaboration engine, control logic, management applications and a collaboration agent with the control logic selectively invoking an instance of one or more of the features of the collaboration engine in response to commands received by the control logic. Therefore, *Walker* cannot anticipate the invention as claimed in claim 2.

Claim 4 depends from claim 2. Because dependent claims include the limitations of the claims from which they depend, Applicants submit that claim 4 is not anticipated by *Walker* for at least the reasons set forth above.

**CLAIM REJECTIONS – U.S.C. § 103(a)**

Claims 6-12 and 14-23 were rejected as being unpatentable over *Walker* and various references. Each of claims 6-12 and 14-23 depends, directly or indirectly, from claim 2. For at least the reasons set forth below, Applicants submit that claims 6-12 and 14-23 are not rendered obvious by *Walker*.

In rejecting claims 2-4, 13 and 14 the Office Action states that *Walker* discloses a collaborative engine, control logic, network interface, memory and a management application. See page 5. However, as discussed above, *Walker* clearly does not disclose each of these elements. Therefore, *Walker* cannot suggest the invention as claimed in claims 2, 4 and 14.

In rejecting claims 21-23, the Office Action states that *Walker* discloses dividing collaboration partners into preferential tiers based on collaboration rules. See page 6. However, the cited passage of *Walker* merely lists the databases of the central controller. No reference is made in the cited portion of *Walker* to utilize these databases for dividing collaboration partners into preferential tiers. Nothing in *Walker* suggests the other specific limitations of claims 21-23.

In rejecting claim 5, the Office Action states that *Walker* discloses statistical tools and report generation tools. See page 6. However, the cited passages of *Walker* merely provide database names, none of which suggests statistical analysis and/or report generation. The Office Action acknowledges that *Walker* does not recite comprehensive

reporting details and concludes that it would have been obvious to provide comprehensive reporting details, but provides no support for the assertion.

The Office Action cites various U.S. Patent documents to support assertions regarding the obviousness of the claim limitations. In general, no specific citations and/or motivations are provided. The examples provided above are for illustration purposes and not intended to be a complete listing of the incomplete rejections included in the Office Actions. Accordingly, Applicants submit that the obviousness rejections are incomplete.

Even if the obviousness rejections set forth in the Office Action can be considered complete, the cited references do not cure the deficiencies of *Walker* set forth above. Therefore, *Walker*, with or without the additional references, cannot render the invention as claimed in claims 6-12 and 14-23 obvious.

#### CONCLUSION

The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application. Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,  
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